National Environmental Policy Act

NEPA

- National Environmental Policy Act of 1969
- Policy in a nut shell – the Federal government must consider environmental impacts and alternatives in the decision making process

NEPA Requirements

1. Consider environmental impacts of proposed actions
2. Evaluate alternative actions
3. Disclose actions/impacts to the public
4. Integrate public participation into the decision making process

NEPA Implementation

- US Army implementing regulation is 32 CFR 651, 29 March 2002
- Not all agencies implement NEPA the same
- Primarily construction and renovation projects, reserve training, and real estate actions

NEPA Process Documentation

- Record of Environmental Consideration (REC) – 1 page, cost minimal
- Environmental Assessment (EA) – 3-6 month process, cost $20K to $200K, requires public notification
- Environmental Impact Statement (EIS) – 1-5 year process, $200K to $Ms, requires public notification

What ECOs Need to Know

1. The NEPA process is a legal requirement
2. Routine minor projects/actions are normally covered by a REC signed by the Environmental Coordinator
3. Major actions/projects typically require an EA

Environmental Compliance Checklist

Fort Detrick Environmental Compliance Checklist

Fort Detrick Environmental Management Office
Environmental Compliance Checklist
for
Construction, Maintenance and Repair, and Demolition Activities

Project Title: _____

Brief Project Description: _____

_____

Proponent: _____ Tel. No/E-Mail Address: _____

☐ Construction Project ☐ Maintenance Project ☐ Repair Project ☐ Demolition Activity

Estimated Cost: _____

EMO Tracking No.: _____ Tracking Start Date: _____

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
NEPA Compliance (301-619-3152)				
National Environmental Policy Act (NEPA)	Most projects must have NEPA documentation completed before groundbreaking can occur.	Type of NEPA Document Required: ☐ EIS ☐ EA ☐ REC ☐ N/A		
Storage Tank (301-619-3196)				
Storage Tanks	Installation, modification, or removal of a storage tank may have regulatory constraints in addition to permitting and other notification requirements.	☐ Permit Required ☐ Permit Modification ☐ State Notification Req. ☐ Potential Contamination Issue		
Installation Restoration Program Considerations (301-619-3196)				
Land Use Restrictions	Soil-disturbing activities may be restricted because of environmental contamination.	☐ No Land Use Restrictions ☐ Restrictions Exist, See Remarks		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Natural Resources Compliance (301-619-2033)				
Natural Resources	Does the project impact on wetland areas? ☐ Yes ☐ No	☐ No Action Required ☐ Wetlands Permit Required		
	If the project exceeds a disturbance of 40,000 sf, forestation requirements apply.	☐ No Action Required ☐ 15% Afforestation Required ☐ 2-for-1 Reforestation Required		
Cultural Resources Compliance (301-619-2033)				
Cultural Resources	Does the project impact on protected archeological sites? ☐ Yes ☐ No ☐ Maybe	☐ No Action Required ☐ SHPO Consultation Required		
	Does the project impact on historical buildings? ☐ Yes ☐ No ☐ Maybe	☐ No Action Required ☐ SHPO Consultation Required		
Landscaping and Pest Management Requirements (301-619-2033)				
Landscaping	Review plant list to screen	☐ No Action Required		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks	Subject Matter Expert Sign-off (See Note 1)
Storm Water Requirements (301-619-3136)				
Storm Water Management	Projects disturbing more than 5,000 sf (or more than 100 cy) must be approved by MDE for E&SC before groundbreaking can occur.	☐ No Action Required ☐ Submission to MDE Required		
	Projects disturbing more than 5,000 sf must include SWM. MDE approval is required before groundbreaking can occur.	☐ No Action Required ☐ Submission to MDE Required		
	Projects disturbing 1-acre (or greater) require an NPDES permit before groundbreaking can occur.	☐ No Action Required ☐ Submission to MDE Required		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Sanitary Sewer Requirements (301-619-3136)				
Waste Water	New users of sanitary sewer system or users with a significant addition to their discharge must submit new user form.	☐ No Action Required ☐ New User Discharge Form, FD Form 1418		
SPCC (301-619-3136)				
Petroleum	Certain regulatory requirements apply if petroleum, oil, lubricants will be stored on site in excess of 55 gallons.	☐ No Action Required ☐ Evaluation Required		
Noise Requirements (301-619-3136)				
Noise	Noise sources in excess of 55 decibels (night) and 65 decibels (day) are prohibited.	☐ No Action Required ☐ Evaluation Required		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Air Emission Requirements (301-619-3906)				
Air Emission Permitting	New air emission sources and major modifications of existing sources require Permits to Construct and/or Permits to Operate.	☐ No Action Required ☐ Permits to Construct Required ☐ Title V Permit to Operate Amendment Required		
Installation of Emergency Generators	Large emergency generators require permits. Before permits can be requested, proponent must obtain concurrence from the Maryland Public Service Commission (PSC) thru DIS.	☐ No Action Required ☐ PSC Concurrence Letter Required		
New Source Review (NSR)	Certain larger-scale new air emissions sources and major modifications of existing sources require NSR Permits.	☐ No Action Required ☐ NSR Evaluation Required ☐ NSR Permit Required		
Conformity	New air emission sources and major modifications of existing sources *that do not require NSR Permits* require	☐ No Action Required ☐ Record of Non-Applicability and Conformity Evaluation		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Hazardous Materials/Hazardous Waste Requirements (301-619-3441)				
Hazardous Materials	Hazardous Material purchases and usage must be tracked and Hazardous Material storage is regulated. Will the construction or demolition activity: ☐ Procure, Utilize or Store Hazardous Materials on site. Will the completed project: ☐ Procure, Utilize or Store Hazardous Materials on site.	☐ No Action Required ☐ Evaluation Required ☐ Not Applicable (No regulated HW onsite)		
Hazardous Waste	Hazardous Waste generators are regulated. Will the construction or demolition activity: ☐ Generate or Accumulate Hazardous Waste on site. Will the completed project: ☐ Generate or Accumulate Hazardous Waste on site.	☐ No Action Required ☐ Evaluation Required ☐ Not Applicable (No regulated HW onsite)		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Recycling/Affirmative Procurement Requirements (301-619-3169 or 301-619-1266)				
Affirmative Procurement - Buy Recycled	Per the Fort Detrick Affirmative Procurement Plan, construction and maintenance and repair projects are required to purchase EPA-designated products made with recycled materials unless justification is provided.	☐ Evaluation of Comprehensive Procurement Guidelines Required ☐ No Action Required ☐ Justification Required		
Solid Waste Recycling	All construction, renovation and demolition projects will include contract performance requirements for a 50% minimum diversion of construction and demolition (C&D) waste by weight, from landfill disposal. (ACSIM Policy Memo, Sustainable Management of Waste in Military Construction, Renovation, and Demolition Activities, 6 Feb 2006)	☐ No Action Required ☐ Contract Specs will include a requirement for C & D Waste Management Plan		

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Miscellaneous				
PCBs	PCBs may be encountered during demolition, or during maintenance and repair.	☐ No Action Required ☐ Evaluation Required		
Lead	Lead-based paint may be encountered during demolition, or during maintenance and repair.	☐ No Action Required ☐ Evaluation Required		
Mercury	Mercury may be encountered in drains and thermostats during demolition, maintenance or repair.	☐ No Action Required ☐ Evaluation Required		
Exit Signs & Smoke Detectors	Exit signs and smoke detectors may contain radioactive materials and must be disposed of properly.	☐ No Action Required ☐ Evaluation Required		
Forestation	Removal of trees larger than 2.5” diameter requires 2-for-1 replacement.	☐ No Action Required ☐ Evaluation Required		
Demolition	EPA and MDE must be notified.	☐ No Action Required ☐ EMC Action Required		

*Note 1: Signature of Subject Matter Expert (SME) indicates that all prerequisites to construction have been satisfactorily fulfilled, and/or the SME will work closely with the Project Proponent to ensure environmental compliance in the SMEs program or media area.

Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Environmental Approvals				
Released for Construction			This project is approved for construction. However, there are compliance requirements that need to be addressed during the construction period. ☐ Erosion and Sediment Control (E&SC) only. ☐ E&SC **plus** Additional Items.	All Environmental, Cultural, and Natural Resources prerequisites to construction have been fulfilled._____ _Environmental Coordinator **Sign and Date**
Final Approval				All Environmental, Cultural, and Natural Resources prerequisites to construction have been fulfilled._____ _Environmental Coordinator **Sign and Date**